

The Malibu City Council and my office have heard from land owners seeking to develop property in the hillsides of Malibu. Some of these property owners have expressed concern that the cost of building the water infrastructure that would be needed to comply with fire code requirements for their projects will make it too expensive for at least a few of them to build their desired projects. In response to these public requests, the City of Malibu has worked hard to provide a venue so that the concerns of these land owners will be heard and public agencies can work together to determine how needed infrastructure can be built. I look forward to working with the City of Malibu in this worthwhile endeavor.

To that end, Water Works District 29, whose area includes but is not limited to the City of Malibu, should build upon its ongoing efforts to improve the reliability of its system by creating a Master Plan for the entire District that evaluates its existing system and determines the improvements that will be needed to meet the District’s existing and future water demands. As part of this effort, the District should also present appropriate alternatives to pay for the improvements that can be further considered by County and City representatives.

Unfortunately, even as this work to create responsible solutions begins, a few

MOTION

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development consultants and permit expeditors have separately sought to allow their clients' proposed projects to be built without complying with the water supply requirements mandated by the fire code. This is not a legally viable option. In fact, under state law no local government may adopt standards that are less protective of public health and safety than the State's minimum building requirements. Accordingly, and rightly, the County and the Malibu City Council have each adopted these fire code requirements. Now, both jurisdictions should work to ensure that these requirements are enforced.

The Board of Supervisors should stand with the City of Malibu and ask that Water Works District 29 actively partner with the City and other key stakeholders to evaluate the area's water needs and chart a path to allow those needs to be met in the foreseeable future. At the same time, the Board of Supervisors should support the Fire Department and Water District 29 in enforcing the legal requirements necessary to provide sufficient water supply to protect lives and property, especially in one of the most fire-prone regions of Los Angeles County.

I, THEREFORE, MOVE that the Board of Supervisors instruct the Director of Public Works and her designees to 1) prepare a Water System Master Plan for all of District 29 to provide a comprehensive long-range capital improvement plan that will meet the existing and future domestic and fire protection water demands of the district; 2) identify funding mechanisms to allow the recommended improvements identified in the Master Plan to be realized; 3) actively seek a partnership with the City of Malibu and other appropriate stakeholders in this endeavor; 4) within 21 days, report back to the Board of Supervisors and the City of Malibu with an estimated timeframe for the completion of the aforementioned tasks; and, 5) report back to the Board of Supervisors

every 60 days thereafter regarding their progress in completing the Master Plan and other related tasks.

I FURTHER MOVE that the Board of Supervisors instruct the Fire Chief and his designees to work with the City of Malibu to ensure that the City Manager and his staff are fully aware of the Fire Code's requirements so that they can work together to protect public safety and do everything appropriate to assist land owners in assessing the infrastructure requirements for a proposed development as early in the review process as possible.

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